

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

Notice of Public Hearing and Comment on Proposed Revisions to 30 TAC Chapter 116 and to the State Implementation Plan

The Texas Commission on Environmental Quality (TCEQ or commission) will offer a virtual public hearing on January 26, 2021, at 10:00 a.m. Central Standard Time.

The hearing is offered to receive testimony regarding proposed revisions to 30 Texas Administrative Code Chapter 116, Control of Air Pollution by Permits for New Construction or Modification, §§116.12, 116.150, 116.151, 116.160, 116.910, 116.911, 116.920, 116.1010, 116.1011, and 116.1530; the proposed repeal of §§116.16, 116.128, and 116.770 - 116.870; and corresponding revisions to the State Implementation Plan (SIP) under the requirements of Texas Health and Safety Code, §382.017; Texas Government Code, Chapter 2001, Subchapter B; and 40 Code of Federal Regulations §51.102 of the United States Environmental Protection Agency (EPA) concerning SIPs.

The proposed rulemaking would amend commission rules to allow both emissions increases and decreases to be considered during Step 1 of the two-step major New Source Review applicability test consistent with the EPA's guidance and adopted rules for project emissions accounting. The proposed rulemaking would also repeal all rule sections in Chapter 116, Subchapter H, Permits for Grandfathered Facilities.

The virtual hearing is structured for the receipt of oral comments only. Individuals may present oral statements when called upon in order of registration. Open discussion will not be permitted during the virtual hearing; however, commission staff members will be available to discuss the proposal 30 minutes prior to the hearing.

The public may view the virtual public hearing at no cost at:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_MjI2YWQyNjAtZDNjNC00Y2U5LWI4NDctNDY1NWNjYjhhYjly%40thread.v2/0?context=%7b%22Tid%22%3a%22871a83a4-a1ce-4b7a-8156-3bcd93a08fba%22%2c%22Oid%22%3a%220ab3b264-6a49-48c6-afc8-8225e4a7b0ac%22%2c%22IsBroadcastMeeting%22%3atrue%7d

Registration. The hearing will be conducted remotely using an internet meeting service. Individuals who plan to attend the hearing and want to provide oral comments or want your attendance on record must **register by Friday, January 22, 2021**. To register for the hearing, please email Rules@tceq.texas.gov and provide the following information: your name, your affiliation, your email address, your phone number, and

whether or not you plan to provide oral comments during the hearing. Instructions for participating in the hearing will be sent on January 25, 2021 to those who registered for the hearing. Late registration could result in your missing the opportunity to comment on this project.

Persons who do not have internet access or who have special communication or other accommodation needs who plan to attend the hearing should contact Sandy Wong, General Law Division at (512) 239-1802 or 1-800-RELAY-TX (TDD) to register. Accommodation requests should be made as far in advance as possible.

Written Comments. Electronic comments may be submitted at: <https://www6.tceq.texas.gov/rules/ecomments/>. File size restrictions may apply to comments being submitted via the *eComments* system. Written comments may be submitted to Andreea Vasile, MC 205, Office of Legal Services, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087, *or* faxed to fax4808@tceq.texas.gov. All comments should reference Rule Project No. 2020-001-116-AI. **The comment period closes on February 3, 2021.** Please choose one of the methods provided to submit your written comments.

Copies of the proposed rulemaking can be obtained from the commission's website at https://www.tceq.texas.gov/rules/propose_adopt.html. For further information, please contact Michael Wilhoit, Air Permits Division, Operational Support Section, (512) 239-1222.